

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION
OF THE KINGDOM OF DENMARK
(SKATTERFORVALTNINGEN) TAX
REFUND SCHEME LITIGATION

MASTER DOCKET

18-md-2865 (LAK)

This document relates to:

19-cv-10713 (LAK)

DECLARATION OF ALAN E. SCHOENFELD

I, Alan E. Schoenfeld, declare as follows:

1. I am a partner with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Defendants John Van Merkensteijn, Richard Markowitz, Bernina Capital Pension Plan Trust, and RJM Capital Pension Plan Trust (collectively, “Defendants”) in the above-captioned litigation. I am licensed to practice law in New York, and I am admitted to practice before this Court. I am familiar with the facts set forth herein, and if called as a witness, I could and would testify competently to those facts under oath.

2. I make this declaration in support of Defendants’ concurrently filed Reply Memorandum of Law in Support of Defendants’ Motion for Summary Judgment.

3. Attached hereto as **Exhibit 1** is a true and correct copy of a January 28, 2019 Letter regarding “Customs and Tax Administration of the Kingdom of Denmark (‘SKAT’)” from William R. Maguire of Hughes Hubbard & Reed addressed to Gregory Wallance of Arnold & Porter Kaye Scholer LLP.

I declare under penalty of perjury, as provided in 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and that this Declaration was executed this 14th day of June 2024, in New York, New York.

/s/ Alan E. Schoenfeld
Alan E. Schoenfeld